

REMARKS

By this Amendment claim 21 has been corrected, claim 30 has been amended to define the cement used in the cementitious composition as portland cement, claim 32 has been correspondingly amended, and claims 34 and 35 have been canceled. Entry is requested.

The applicants confirm their election of method claims 30-40 and 49.

In the outstanding Office Action the examiner has rejected claims 30-35, 38 and 40 under 35 U.S.C. 103 (a) as being unpatentable over Heinrich et al. in view of Burkes et al. The examiner argues that it would be obvious to use the cementitious composition of Burkes et al. as the cementitious composition of Heinrich et al.

The applicants assert that this combination would not be suggested. First of all, the cement mortar mixture in Heinrich et al. is the crux of the disclosed invention in this patent and to replace it with some other mixture would destroy the invention therein. Such a replacement would not be proper. Secondly, the cured concrete mixture of Burkes et al. is treated with a solution of alkali metal hydroxide so as to increase its hardness and compressive strength and decrease its permeability to liquids. For safety reasons, such an alkali metal hydroxide treatment would not be permitted in providing a lining in tubing used to convey drinking water, such as the tubing in Heinrich et al. Clearly, it would not be obvious to combine Burkes et al. with Heinrich et al. as proposed by the examiner.

The examiner has rejected claims 36, 37, 39 and 49 under 35 U.S.C. 103(a) as being unpatentable over Heinrich et al. in view of Burkes et al. and Allen et al.

However, nothing in Allen et al. can be said to overcome the basic deficiency in the examiner's attempted combination of Heinrich et al. and Burkes et al.

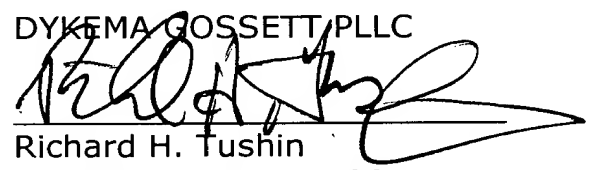
The examiner's attention is directed to claim 49 which defines the method as "consisting of" steps (a), (b) and (c).

Favorable reevaluation is requested.

Respectfully submitted,

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